



JAMES A. NOYES, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
www.ladpw.org

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

October 30, 2002

IN REPLY PLEASE
REFER TO FILE:

MP-2
440.021

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

SUNNYSIDE DEBRIS BASIN - PARCELS 1EX AND P-4F
APPROVAL OF SALE OF SURPLUS PROPERTY AND ACQUISITION
CITY OF PASADENA
SUPERVISORIAL DISTRICT 5
3 VOTES

IT IS RECOMMENDED THAT YOUR BOARD:

1. Find the sale transaction categorically exempt from the provisions of the California Environmental Quality Act (CEQA).
2. Declare the fee interest in Parcel 1EX (2,668 square feet), Sunnyside Debris Basin, located adjacent to the single-family residence at 4068 Park Vista Drive, in the City of Pasadena, to be excess property.
3. Authorize the sale of Parcel 1EX to the adjacent property owner, Tian Hua Xiu Yuan, for \$20,000.
4. Instruct the Chairman to sign the enclosed Quitclaim Deed and authorize delivery to the Grantee.
5. Approve the acquisition of fee title from Karen Chiles and John Walther in Parcel P-4F, adjacent to the Sunnyside Debris Basin, located north of Park Vista Drive, in the City of Pasadena, for \$58,800.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

These actions will allow the Los Angeles County Flood Control District to sell surplus property in Sunnyside Debris Basin, Parcel 1EX, to the adjacent owner, Tian Hua Xiu Yuan, and to purchase from Karen Chiles and John Walther, by direct negotiations, fee title to Sunnyside Debris Basin, Parcel P-4F. The parcels are located north of Park Vista Drive in the City of Pasadena.

The sale of Parcel 1EX will resolve the existing encroachment of a block wall and garage that are located on property which was previously acquired by the District as part of the land needed for Sunnyside Debris Basin.

The acquisition of Parcel P-4F is needed by the District for enlargement of the Sunnyside Debris Basin. A negotiated settlement of \$58,800 was reached with the property owners, Karen Chiles and John Walther, and is supported by our staff appraisers.

Implementation of Strategic Plan Goals

The sale transaction is consistent with the County Strategic Plan Goal of Fiscal Responsibility. The revenue from the sale will be used for flood control purposes since it will reduce the District's expenses and liability.

This acquisition is also consistent with the County Strategic Plan Goal of Service Excellence since improving our flood control facilities provides flood protection to residents and will improve the quality of life of the County residents.

FISCAL IMPACT/FINANCING

The proposed selling price of \$20,000 for Parcel 1EX represents the appraised value and will be deposited into the Flood Control District Fund.

The proposed purchase price for Parcel P-4F is \$58,800. Funds for the acquisition are available in the Los Angeles County Flood Fund 2002-03 budget.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

As required by California Government Code Section 65402(c), a notification of the proposed sale and acquisition was submitted to the Planning Department of the City of Pasadena for its report as to conformance with the adopted General Plan. Since no answer was received within the 40-day period, as stipulated in this Section, it is

conclusively deemed the proposed sale and acquisition are in conformance with the General Plan.

The sale is not considered adverse to the District's purposes and will not hinder the use of the debris basin for possible transportation, utility, or recreational corridors. Easements will be reserved by the District from Tian Hua Xiu Yuan for ingress and egress and covered storm drain purposes as part of this transaction.

The Quitclaim Deed does not transfer rights to any oil, gas, petroleum, or other hydrocarbons and minerals. The enclosed Quitclaim Deed has been approved by County Counsel and will be recorded.

With regard to the acquisition, the Grantors have executed an Agreement to Convey and Claim for Payment and have signed the necessary Grant Deed in favor of the Los Angeles County Flood Control District. Acquisitions in excess of \$25,000 must be approved by your Board.

ENVIRONMENTAL DOCUMENTATION

The sale transaction is categorically exempt from the CEQA, as specified in Class 12 of the Environmental Document Reporting Procedures and Guidelines adopted by your Board on November 17, 1987, Synopsis 57, and Section 15312 of State CEQA Statutes and Guidelines.

Relating to the acquisition, on January 17, 1995, Synopsis 17, your Board approved the Negative Declaration and found that the basin enlargement project will not have a significant effect on the environment.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

None.

The Honorable Board of Supervisors
October 30, 2002
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CONCLUSION

These actions are in the District's best interest. Enclosed are an original and two duplicates of the Quitclaim Deed. Please have the original and duplicates signed by the Chairman and acknowledged by the Executive Officer of the Board of Supervisors. Please return the executed original and one duplicate to this office, retaining one duplicate for your files.

One approved copy of this letter is requested.

Respectfully submitted,

JAMES A. NOYES
Director of Public Works

FLU:ayc
P2:\BDFLUE

Enc.

cc: Chief Administrative Office
County Counsel

MAIL DOCUMENT AND
TAX STATEMENT TO:

TIAN HUA XIU YUAN
4068 Park Vista Drive
Pasadena, CA 91107-1322

Space Above This Line Reserved for Recorder's Use

Document transfer tax is \$_____
() computed on full value of property conveyed, or
() computed on full value less value of liens and
encumbrances remaining at time of sale

Assessor's Identification Number:
5760-027-900 (Portion)

LOS ANGELES COUNTY FLOOD CONTROL DISTRICT

By_____

QUITCLAIM DEED

For a valuable consideration, receipt of which is hereby acknowledged, the LOS ANGELES COUNTY FLOOD CONTROL DISTRICT, a body corporate and politic, hereinafter referred to as "District," does hereby remise, release and forever quitclaim to TIAN HUA XIU YUAN, a California corporation, hereinafter referred to as "Grantee," all its right, title and interest in and to the real property in the City of Pasadena, County of Los Angeles, State of California, described as Parcel 1EX in Exhibit "A" attached hereto and by this reference made a part hereof.

EXCEPTING AND RESERVING all oil, gas, petroleum and other hydrocarbons and minerals, but without right of entry to the surface of said land.

ALSO RESERVING TO DISTRICT, a perpetual easement for ingress and egress purposes in, on, over, and across the real property in the City of Pasadena, County of Los Angeles, State of California, described as Parcel 1IE in said Exhibit "A."

ALSO RESERVING TO DISTRICT, a perpetual easement for covered storm drain purposes in, on, under, and across the real property in the City of Pasadena, County of Los Angeles, State of California, described as Parcel 1DC in said Exhibit "A."

Together with the further right to enter upon and to pass and repass over and along said easements and rights of way and to deposit tools, implements, and other materials thereon by said District, its officers, agents and employees, and by persons under contract with it and their employees, whenever and wherever necessary for the purposes above set forth.

SUNNYSIDE DEBRIS BASIN	1EX
Includes Parcels 1IE and 1DC	
440-RW 1	
S.D. 5	FG0176

The herein quitclaim is subject to all matters of record and to the following reservation and conditions which Grantee understands to be a part of the consideration for the herein quitclaim and which Grantee, by the acceptance of this Quitclaim Deed and/or the exercise of any of the rights granted herein, agrees to keep and perform, viz:

6. District's easements for ingress and egress purposes and for covered storm drain purposes, herein reserved, shall be paramount.
7. Grantee agrees that it will not use the herein-described easement areas inconsistent with said easements, and that it will not perform or arrange for the performance of any construction or reconstruction work in, on, over, under and across the land affected by said easements until the plans and specifications for such construction or reconstruction shall have been first been submitted to and been approved in writing by the Chief Engineer of the Los Angeles County Flood Control District. Such approval by District shall not be interpreted or inferred as an endorsement or approval as to the design, accuracy correctness or authenticity of the information shown on the submitted plans and specifications. Furthermore, such approval cannot be relied upon for any other purpose or by any third party for any reason whatsoever. District does not accept ownership or responsibility for the improvements.
8. The terms, conditions, restrictions, reservations, and agreements shall be binding upon Grantee and its successors and assigns.

Dated _____

LOS ANGELES COUNTY FLOOD CONTROL DISTRICT,
a body corporate and politic

By _____
Chairman, Board of Supervisors of the
Los Angeles County Flood Control District

(LACFCD-SEAL)

ATTEST:
VIOLET VARONA-LUKENS, Executive Officer
of the Board of Supervisors
of the County of Los Angeles

By _____
Deputy

KDR:in:P:Conf:BDFLUE.wpd

NOTE: Acknowledgment form on reverse side.

STATE OF CALIFORNIA)
) ss.
COUNTY OF LOS ANGELES)

On January 6, 1987, the Board of Supervisors for the County of Los Angeles and ex officio the governing body of all other special assessment and taxing districts, agencies and authorities for which said Board so acts adopted a resolution pursuant to Section 25103 of the Government Code which authorized the use of facsimile signatures of the Chairman of the Board on all papers, documents, or instruments requiring his/her signature.

The undersigned hereby certifies that on this_____day of_____, 20_____, the facsimile signature of_____, Chairman of the Board of Supervisors of the LOS ANGELES COUNTY FLOOD CONTROL DISTRICT was affixed hereto as the official execution of this document. The undersigned further certifies that on this date, a copy of the document was delivered to the Chairman of the Board of Supervisors of the LOS ANGELES COUNTY FLOOD CONTROL DISTRICT.

In witness whereof, I have also hereunto set my hand and affixed my official seal the day and year above written.

VIOLET VARONA-LUKENS, Executive Officer
of the Board of Supervisors
of the County of Los Angeles

By_____ Deputy

(LACFCD-SEAL)

APPROVED as to form

LLOYD W. PELLMAN, County Counsel

By_____ Deputy

APPROVED as to title and execution, _____, 20_____. DEPARTMENT OF PUBLIC WORKS Mapping & Property Management Division MARTIN J. YOUNG Supervising Title Examiner III By_____
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SUNNYSIDE DEBRIS BASIN 1EX

Includes Parcel Nos.1IE and 1DC

440-RW 1

A.P.N. 5760-027-900(por.)

T.G. 536(J7)

I.M. 174-257

Fifth District

FG0176

LEGAL DESCRIPTION

PARCEL NO. 1EX (Quitclaim of portion of fee):

Part A:

That portion of that part of Section 18, Township 1 North, Range 11 West, S.B.M., described in deed to the Los Angeles County Flood Control District, recorded in Book D5019, page 916, of Official Records, in the office of the Recorder of the County of Los Angeles, within the following described boundaries:

Beginning at the most northerly northeasterly corner of Lot 36, Tract No. 30597, as shown on map filed in Book 798, pages 14 and 15, of Maps, in the office of said recorder; thence South 81E15' 10" West along the northerly line of said Lot 36, a distance of 96.63 feet; thence North 76E32' 59" East 11.22 feet; thence North 61E 56' 41" East 14.10 feet; thence North 36E25' 49" East 24.44 feet; thence North 84E 57' 07" East 42.86 feet; thence South 39E43' 57" East 23.38 feet to the point of beginning.

Containing: 1,332± square feet

Part B:

That portion of that part of above mentioned Section 18, described in above mentioned deed to the Los Angeles County Flood Control District, within the following described boundaries:

Beginning at a point in the easterly line of said Section 18, said point being distant along said easterly line North 0E14' 50" West 116.55 feet from the southeasterly corner of above mentioned Lot 36; thence South 44E19'10" West 21.78 feet to a point hereby designated point "A" for the purpose of this description; thence North 69E59' 42" West 17.25 feet to above mentioned most northerly northeasterly corner of said Lot 36; thence South 8E44' 50" East, a distance of 31.41 feet along the northeasterly boundary of said Lot 36; thence South 38E44' 50" East 43.07 feet to said easterly line; thence northerly along said easterly line to the point of beginning.

Containing: 1,336± square feet

PARCEL NO. 1IE (Reservation of easement for ingress and egress purposes):

RESERVING unto LOS ANGELES COUNTY FLOOD CONTROL DISTRICT, its successors or assigns, an easement for ingress and egress purposes in, over and across the above-described Part A of PARCEL NO. 1EX the following described boundaries:

Beginning at the most northerly northeasterly corner of above mentioned Lot 36; thence South 81E15' 10" West along above mentioned northerly line of said Lot 36, a distance of 2.01 feet; thence North 42E 01' 41" West 18.87 feet; thence North 89E51' 20" West 2.74 feet; thence South 50E40'13" West 16.56 feet; thence South 39E19' 47" East 9.03 feet to said northerly line; thence South 81E15'10" West along said northerly line, a distance of 71.90 feet; thence North 76E32' 59" East 11.22 feet; thence North 61E 56' 41" East 14.10 feet; thence North 36E 25' 49" East 24.44 feet; thence North 84E57' 07" East 42.86 feet; thence South 39E43' 57" East 23.38 feet to the point of beginning.

Containing: 1,054± square feet

PARCEL NO. 1DC (Reservation of easement for covered storm drain purposes):

RESERVING unto LOS ANGELES COUNTY FLOOD CONTROL DISTRICT, its successors or assigns, an easement for covered storm drain, in, on, over and across that portion of the above-described Part B of PARCEL NO. 1EX, within a strip of land 10 feet wide, lying 5 feet on each side of a line which bears South 8E53' 05" East and which passes through above designated point "A".

Containing: 511± square feet

jbm:sdb1ex

EXHIBIT A